

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PASTOR FRED HARRIS, III,	)	
	)	
Petitioner,	)	Civil Action No. 11-766
	)	Judge Fischer
v.	)	Magistrate Judge Bissoon
	)	
ATTORNEY GENERAL OF	)	
PENNSYLVANIA, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**MEMORANDUM ORDER**

Pastor Fred Harris, III ("Petitioner"), is a state pretrial detainee who has filed a federal habeas petition pursuant to the provisions of 28 U.S.C. § 2254. (Doc. 9). This case was referred to United States Magistrate Judge Cathy Bissoon for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules for Magistrates.

On July 22, 2011, the magistrate judge issued a report and recommendation, (Doc. 10), recommending that this petition be dismissed, *sua sponte*, as being facially unexhausted in the state courts. Petitioner was granted until August 5, 2011, to file objections. As of the date of this writing, no objections have been filed.

After *de novo* review of the pleadings and documents in this case, together with the report and recommendation (Doc. 10), the following order is entered:

AND NOW, this 17<sup>th</sup> day of August, 2011,

IT IS HEREBY ORDERED that Petitioner's petition for writ of habeas corpus (Doc. 9) is  
DISMISSED.

IT IS FURTHER ORDERED that a certificate of appealability is DENIED.

IT IS FURTHER ORDERED that the report and recommendation of Magistrate Judge Bissoon (Doc. 10), dated July 22, 2011, is adopted as the opinion of this Court.

BY THE COURT:

s/Nora Barry Fischer  
NORA BARRY FISCHER  
UNITED STATES DISTRICT JUDGE

cc:

**PASTOR FRED HARRIS, III**  
1021-2011  
Westmoreland County Prison  
3000 South Grande  
Greensburg, PA 15601